

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

KIRBY INLAND MARINE, LP

v.

**FPG SHIPHOLDING PANAMA 47 S.A.,
K LINE ENERGY SHIP MANAGEMENT,
and the VLGC GENESIS RIVER, *in rem***

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C.A. NO. 3:19-cv-00207

**IN THE MATTER OF KIRBY INLAND
MARINE, LP, in a cause for exoneration
from or limitation of liability**

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Rule 9(h) – Admiralty

AGREED ORDER OF DISMISSAL WITH PREJUDICE

On this ____ day of _____, 2023, came the claimants represented by Matthews, Lawson, McCutcheson & Joseph, PLLC; William Dills Law, PLLC; Pivach, Pivach, Hufft, Theriffiley & Dunbar, LLC; Simpson, Beeton, Shabot & McConnel, LLC; Haun Mena, PLLC; Pusch & Nguyen Law Firm, PLLC; Garbin Law Firm, LLC; Pierce Skranbanek, PLLC; Brent Coon & Associates, PC; Baron & Budd, PC; Cossich Sumich Parisola & Taylor, LLC; and White & Harrison (collectively, “Claimants”¹) and FPG Shipholding Panama 47, S.A. (FPG); Genesis River Shipping, S.A. (GRS); “K” Line Energy Ship Management (K-ENE); Kawasaki Kisen Kaisha, Ltd. (3K); Ship No. 138 Co. Ltd. (No. 138); Ship No. 139 Co. Ltd (No. 139); and VLGC GENESIS RIVER, *in rem* (GR). (collectively, “Petitioners”), and jointly move this Court to dismiss with prejudice all

¹ The term “Claimants” includes the persons and entities identified in the attached Exhibit A, Special Master Balhoff’s Spreadsheet, which was filed with this Court at Dkt. 631.

claims of Claimants. All claims by Claimants in this matter against Petitioners have been compromised and settled, and that, as part of such settlement agreement, all claims by Claimants against Petitioners are to be dismissed with prejudice. The Court, being fully advised, finds that all claims held by Claimants against Petitioners (including *in rem* claims against the VLGC GENESIS RIVER should be DISMISSED WITH PREJUDICE. This judgment is final in all respects and dismisses all claims asserted by Claimants, including the individuals and entities identified in Special Master Balhoff's Spreadsheet, against Petitioners.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that all claims asserted by Claimants, including the individuals and entities identified in Special Master Balhoff's Spreadsheet, against Petitioners (including *in rem* claims against the VLGC GENESIS RIVER), in this matter are dismissed with prejudice, with each party to bear its own costs.

All other relief not granted herein is expressly denied.

Signed on Galveston Island this ____ day of _____, 2023.

JEFFREY VINCENT BROWN
UNITED STATES DISTRICT JUDGE